

REMARKS

In the Office Action, claims 1-32 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3, 5-9, 14-20, 24, 27 and 29-32 were rejected under 35 U.S.C. 102(b) as being anticipated by Takeuchi et al. (U.S. Pat. No. 4,841,869). Claims 1-13, 15-20, 24, 27 and 29 were rejected under 35 U.S.C. 102(b) as being anticipated by Dorries et al. (DE 29 34 109 A1). Claims 1-32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. in view of The Admitted Information (pg 1-2 of spec). Claims 21 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. in view of Lemelson (U.S. Pat. No. 3,587,856). Claims 22-23, 26 and 28 will be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph.

The matter of the present patent application, according to which the conveying device serves also for moving the work piece in the machining station during machining, is not disclosed. In the description, it is rather described explicitly that the conveying device according to Takeuchi has only to be understood as conveying installation with a transfer car which can convey a maximum of two work pieces between different stations. For that purpose, the transfer car can be accelerated,

and can be fixed in the station. However, it is not possible to move the transfer car for a movement of the work piece in the machining station during a machining, in particular, a cutting machining.

In this regard, the present application is already limited toward the solution of Takeuchi by means of the preamble in claim 1. As, however, also a conveying device is claimed, the opinion of the Examiner might be correct according to which claims 1 and 2 may be seen as met by the solution according to Takeuchi. Such a solution providing a combination of the present patent claims 1, 2 and 3 according to which the conveying device serves also for movement of the work piece in the machining station during machining, cannot, however, be found in the solution of Takeuchi.

In particular, the description of the figures shows very clearly that the solution presented in the citation by Takeuchi is actually a conveying device. The problem solved by the solution according to Takeuchi is to guarantee, in particular, in the bent regions of the conveying path, a conveying without any problems. In addition to that, the solution deals in particular with problems of control techniques. However, also these explanations prove unanimously that a machining by means of the conveying system according to Takeuchi is not provided.

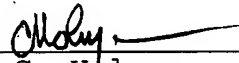
In paragraph 7 of the Office Action, the Examiner states that claims 1 to 13, 15 to 20, 24, 27 and 29 are met by the citation by Dorries et al. (DE 29 45 109 A1). The solution by Dorries et al. shows a roller table for work pieces made from magnetic material. Here metal work pieces are driven on carrying rollers by arranging exciting coils laterally on the conveying path so that the work piece itself acts as secondary part of a linear motor. By means of such a conveying device, for example, milled rails in mills can be conveyed out of the milling device. It is also possible, in the continuous casting process, to convey the produced billets by means of linear motors. A cutting machining station is not described in this citation. Such a machining is not possible at all with the presented solution, because of the inaccuracy of positioning. In this regard, this citation is seen as not relevant for the present patent application.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

By: 
John C. Holman
Reg. No. 22,769

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666

Date: September 8, 2005

JCH/JLS/crj